

REMARKS

Upon entry of this amendment, claims 2 – 21, 23 - 35, 37 and 38 are all the claims pending in the application. Claims 1, 22 and 36 have been canceled. New claim 38 has been added. Claims 2 - 6, 8, 10 - 13, 15 - 19, 21, and 23 - 35 have been amended. No new matter has been added. In view of the above amendments and the following remarks, reconsideration and further examination are requested.

Applicants note that a number of editorial amendments have been made to the specification and abstract for grammatical and general readability purposes. No new matter has been added.

Applicants note that a replacement sheet is being submitted herewith for Figure 1. In the replacement sheet, the label “PRIOR ART” has been added. No new matter has been added.

Applicants note that claims 2 - 6, 8, 10 - 13, 15 - 19, 21, and 23 - 35 have been amended for improved clarity and general readability purposes. Such amendments do not narrow the scope of the claims and are not made in response to any prior art or other rejection.

Claim Rejections under 35 U.S.C. § 101

Claims 33 and 34 have been rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. In particular, on page 5 of the Office Action the Examiner asserted that the claimed invention “program” is not statutory “computer readable media.”

In response, Applicants have amended the claims to recite “computer-readable” and “storing.” Accordingly, Applicants submit that all of the claims comply with 35 U.S.C. § 101, and respectfully request that the rejection be withdrawn.

Claim Rejections under 35 U.S.C. § 102/Allowable Claims

Claims 1 – 5, 22 – 26 and 31 – 34 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,774,859 to Houser.

Claims 6 – 21 and 27 – 29 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Depended claims 6 and 27 have been rewritten in independent form to include all of the limitations of canceled base claims 1 and 22, respectively.

Correspondingly, independent method claims 31 - 34 have been rewritten to incorporate the features found to be allowable in canceled dependent claim 6.

Accordingly, Applicants respectfully submit that Houser et al. fails to teach or suggest each and every element of independent claims 6, 27 and 31 – 34 as amended. Therefore, it is submitted that claims 6, 27, and 31- 34 are allowable for the same reasons for the indication of allowable subject matter in the claims 6 and 27 by the Examiner.

Applicants wish to thank the Examiner that Claim 30 has been allowed. Minor amendments have been made to claim 30 for improved clarity and general readability purposes with changing the scope of the claim.

Applicants wish to thank the Examiner for clarifying the status of claims 35 - 37 as being allowable at least by virtue of their dependency on allowable claim 8 in the Interview Summary mailed March 3, 2008.

Applicants respectfully submit that new claim 38 recites similar features as claim 35 and is likewise allowable.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Tsuyoshi INOUE et al.

~~/Teresa M. Arroyo/~~
By: ~~2008.04.24 11:24:35 -0400~~

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April 24, 2008